

SB 454 – Senate Judiciary Committee February 20, 2007, Juneau

"Hate Crime" - US Department of Justice Community Relations Service:

"Hate Crime is the violence of intolerance and bigotry intended to hurt and intimidate someone because of their race, ethnicity, national origin, religion, sexual orientation, or disability.

The perpetrators of hate use explosives, arson, weapons, vandalism, physical violence, and verbal threats of violence to instill fear in their victims, leaving them vulnerable to more attacks and feeling alienated, helpless, suspicious and fearful.

When perpetrators of hate are not prosecuted as criminals and their acts are not publicly condemned, their crimes and actions can weaken even those communities with the healthiest of race relations."

The US Department of Justice reported that in 1996, the FBI received reports of 10,706 hate crimes from State and local law enforcement agencies:

- ... This involved 11,039 victims and 10,021 perpetrators
- ... The crimes included 12 murders, 10 forcible rapes, 1,444 aggravated assaults, 1,762 simple assaults and 4,130 acts of intimidation.

Data from the FBI in 2005, there were 8,804 victims of hate crimes reported. In an analysis of data for victims of single bias hate crimes showed:

- 55.7% were targeted because of race.
- 16.0% were victimized because of religion
- 14.0% were victimized because of ethnicity/national origin.
- 13.8% were targeted because of bias against a particular sexual orientation.
- 0.6% were targeted because of disability.

According to a report in 2003, "How to Combat Bias and Hate Crimes..."
There are 44 States that have hate crimes in the following categories:

- 44 States.... Race/Religion/Ethnicity
- 43 states.... Institutional vandalism
- 28 states.... Sexual Orientation
- 25 states.... Gender
- 28 states.... Disability
- 24 states... Have data collection laws

ANTI-DEFAMATION LEAGUE STATE HATE CRIME STATUTORY PROVISIONS

	AL	AK	AZ	AR	CA	CO	CT	DC	DE	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO
Bias-Motivated Violence and Intimidation - Criminal Penalty *1	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Civil Action				✓	✓	✓	✓	✓		✓	✓		✓	✓		✓			✓	✓		✓	✓	✓	✓	✓
Race, Religion, Ethnicity	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sexual Orientation			✓		✓	✓	✓	✓	✓	✓		✓		✓		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
Gender		✓	✓		✓		✓	✓				✓		✓		✓			✓	✓			✓	✓	✓	✓
Disability	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓		✓		✓	✓		✓	✓		✓		✓	✓	✓
Other *2					✓	✓	✓	✓	✓	✓		✓				✓	✓		✓	✓			✓	✓	✓	✓
Institutional Vandalism	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Data Collection *3			✓		✓		✓	✓		✓		✓	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓		
Training for Law Enforcement Personnel *4			✓		✓		✓							✓	✓	✓		✓	✓			✓		✓		

*1. The following states also have statutes criminalizing interference with religious worship: AR, CA, DC, FL, ID, MD, MA, MI, MN, MS, MO, NV, NM, NY, NC, OK, RI, SC, SD, TN, VA, WV.

*2. "Other" includes political affiliation (CA, DC, IA, LA, WV), age (CA, DC, FL, IA, HI, KS, LA, ME, MN, NE, NM, NY, VT) and transgender/gender identity (CA, CO, CT, DC, HI, MD, MN, MO, NM, PA, VT).

*3. States with data collection statutes which include sexual orientation are AZ, CA, CT, DC, FL, HI, IL, IA, MD, MI, MN, NV, NM, OR, TX and WA; those which include gender are AZ, DC, HI, IL, IA, MI, MN, TX, WA.

*4. Some other states have administrative regulations mandating such training.

Compiled by the Anti-Defamation League's Washington Office

More information about ADL's resources on hate crimes can be found on the League's Web site:

<http://www.adl.org> and <http://www.patrie.senate/nats.org>

© 2006 Anti-Defamation League

2-20-07
Carol J. Naeve
SD 8
SB454

ANTI-DEFAMATION LEAGUE STATE HATE CRIME STATUTORY PROVISIONS

	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VA	WA	WV	WI	WY
Bias-Motivated Violence and Intimidation -- Criminal Penalty *1	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Civil Action		✓	✓		✓			✓		✓	✓	✓	✓	✓		✓	✓	✓		✓	✓		✓	
Race, Religion, Ethnicity	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	
Sexual Orientation		✓	✓	✓	✓	✓	✓					✓	✓	✓			✓	✓		✓	✓		✓	
Gender		✓		✓	✓	✓	✓	✓	✓				✓	✓			✓	✓			✓	✓		
Disability		✓	✓	✓	✓	✓	✓				✓		✓	✓			✓	✓			✓		✓	
Other *2		✓				✓	✓						✓							✓				
Institutional Vandalism	✓	✓	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	
Data Collection *3		✓	✓		✓	✓					✓	✓	✓	✓				✓		✓	✓	✓		
Training for Law Enforcement Personnel *4					✓	✓						✓		✓							✓			

*5 The Utah statute ties penalties for hate crimes to violations of the victim's constitutional or civil rights.

Compiled by the Anti-Defamation League's Washington Office

More information about ADL's resources on hate crimes can be found at the League's Web site:

<http://www.adl.org> and <http://www.partnersagainsthate.org>

© 2006 Anti-Defamation League